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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 1476/2025 & Crl.M.A. 13674/2025**

ROHIT GIRI

.....Petitioner

Through: Mr. Avi Kalra, Mr. Prateek Lakra,
Mr. Devesh Chauhan & Mr. Preetika
Shukla, Advocates

Versus

UNION OF INDIA THROUGH ITS SECRETARY & ORS.

.....Respondents

Through: Mr. Neeraj, Senior Panel Counsel,
Mr. Vedansh Anand, Government
Pleader and Mr. Sachin Sarawat,
Advocate for Respondent No.1-UIO
Mr. Rahul Tyagi, Additional Standing
Counsel (Crl.) with Mr. Mathew M.
Philip, Mr. Sangeet Sibou &
Mr. Aniket Kumar Singh, Advocates

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

05.05.2025

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1. The present Petition under Article 226 and 227 of the Constitution of India read with Section 528 of *The Bhartiya Nagrik Suraksha Sanhita, 2023*, has been filed by the Petitioner seeking direction to the Respondents to restore the Police Protection for him in light of the attempt to murder and death threats being received from the accused persons and their gang associates pertaining to FIR No. 869/2023 and FIR No. 472/2024.



2. It is submitted that Petitioner is the Complainant of FIR No. 869/2023, dated 07.07.2023, under Sections 307/325/341/506/34 IPC, registered at Police Station Burari, Delhi. However, since he has been getting regular threats from the accused persons, he made another Complaint dated 09.07.2024, based on which FIR No. 472/2024 under Sections 125/351(3)/3(5) of the *Bharatiya Nyaya Sanhita, 2023* read with Sections 27/54/59 of the Arms Act, 1959, was registered for an attempt to murder.

3. It is submitted that Petitioner was granted Police Protection for 12 hours *vide* Order dated 20.12.2024 under the *Witness Protection Scheme, 2018*. However in view of brazen attack on 03.02.2025, the Petitioner had approached the Authority concerned requesting for 24 hour Police Protection. However, the *Delhi Witness Protection Committee* *vide* order dated 22.04.2025, has rejected the request for enhanced 24 hours police protection but instead the existing 12 hours protection has been taken away. Instead, it has been directed that '*to and fro*' Police Protection be provided to the Applicant on the days when he has to appear before the Court in connection with recording of his testimony in the above mentioned FIR.

4. Learned Counsel for the Petitioner has submitted that despite there-being murderous attacks attempts on the Applicant, who is a witness in FIR No. 869/2023, the *Delhi Witness Protection Committee* has taken away 12 hours protection, that was granted to the Applicant and direction be issued to provide 24 hours protection to the Petitioner. It is submitted that immediate directions be issued for providing 24 hour protection to the Applicant.

5. Learned Counsel appearing on behalf of the Respondents has submitted that Rule 15 of *Witness Protection Scheme, 2018* provides for a Review in case any person is aggrieved by the Order of the *Witness*



Protection Committee within 15 days. Instead of approaching the Committee for a Review, the Petitioner has approached this Court. It is further submitted that the Respondents are already looking into the threats and perceptions and would make the appropriate Orders.

6. Considering the submissions made, this Petition be considered as Review Petition and the same be decided by the *Witness Protection Committee* within two days.

7. With aforesaid directions, the present Petition and pending Application are accordingly disposed of.

NEENA BANSAL KRISHNA, J

MAY 5, 2025

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